

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JASON ALLEN BLAUSER,)
Petitioner,)
vs.) Civil Action No. 14-1449
Chief Magistrate Judge Maureen P. Kelly
SUPERINTENDENT MARK CAPOZZA;)
SECRETARY KIMBERLY BARKLEY,)
KATHLEEN KANE *The Attorney General*)
of the State of Pennsylvania,)
Respondents.)

ORDER

Jason Allen Blauser (“Petitioner”) was a state prisoner who filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (the “Petition”), ECF No. 3, challenging the February 18, 2014, denial of his parole application by the Pennsylvania Board of Probation and Parole (“the Board”). It came to the Court’s attention that Petitioner apparently was released from custody as he was no longer listed as a current prisoner on the Pennsylvania Department of Corrections Inmate Locator website. A call to the Department of Corrections confirmed that Petitioner was released on parole as of November 19, 2015, but recommitted as a technical parole violator as of July 12, 2016 and then was absolutely released as of September 2, 2016, having reached his maximum sentence. As a consequence, the Court issued an Order to Show Cause why this case should not be dismissed as moot. ECF No. 13. The Response was due March 7, 2017. However, on March 6, 2017, the Order to Show Cause was returned to this Court as “Return to Sender, Inmate Inactive, Paroled 09/02/16.” ECF No. 14.

In light of the foregoing, the Petition is **DISMISSED as moot**. See, e.g., Bethea v. Bickwell, No. 13-CV-1694, 2015 WL 1608521, at *2 (M.D. Pa. April 10, 2015) (“With respect to his parole claim, Bethea is not challenging his conviction or sentence. Rather, he is challenging the Board’s denial of parole and he seeks immediate release on parole. But since Bethea has been released . . . this court cannot provide him any relief on this habeas claim. So, as the respondent argues and as Bethea concedes, this claim is now moot. *See Razzoli v. FCI Allenwood*, 200 F. App’x 166, 169 (3d Cir. 2006) (stating that ‘[t]hrough the passage of time Razzoli has been released on parole, thereby obtaining the relief that he sought through habeas’ and holding that Razzoli’s claims that his release on parole was illegally delayed are moot)”).

BY THE COURT:

s/Maureen P. Kelly
MAUREEN P. KELLY
CHIEF UNITED STATES MAGISTRATE JUDGE

Date: March 10, 2017

cc: Jason Allen Blauser
KL-2230
SCI Pittsburgh
P.O. Box 99991
Pittsburgh, PA 15233

All Counsel of Record Via CM-ECF